

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J		PAGE OF PAGES 1 2	
2. AMENDMENT/MODIFICATION NO. 0005		3. EFFECTIVE DATE 24-Aug-2005		4. REQUISITION/PURCHASE REQ. NO. W16ROE-5174-5087		5. PROJECT NO.(If applicable)	
6. ISSUED BY USA ENGINEER DISTRICT, NEW YORK ATTN:CENAN-CT ROOM 1843 26 FEDERAL PLAZA NEW YORK NY 10278		CODE W912DS		7. ADMINISTERED BY (If other than item 6) See Item 6		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				X		9A. AMENDMENT OF SOLICITATION NO. W912DS-05-B-0014	
				X		9B. DATED (SEE ITEM 11) 20-Jul-2005	
						10A. MOD. OF CONTRACT/ORDER NO.	
						10B. DATED (SEE ITEM 13)	
CODE		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input checked="" type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D. OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) This amendment serves two purposes: 1) To incorporate changes to the water quality certification. 2) To change the bid opening date from 26 August 2005, 2:00 PM to 9 September 2005, 2:00 PM. Note: Bidders must acknowledge receipt of this amendment by the date specified in the solicitation (or as amended) by one of the following methods: In the space provided on the SF1442, by separate letter, or by telegram, or by signing the block 15 below. FAILURE TO ACKNOWLEDGE AMENDMENTS BY THE DATE AND TIME SPECIFIED MAY RESULT IN REJECTION OF YOUR BID IN ACCORDANCE WITH THE LATE BID, LATE MODIFICATIONS OF BIDS OR LATE WITHDRAWAL OF BIDS (FAR 14.304)							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
				TEL: _____ EMAIL: _____			
15B. CONTRACTOR/OFFEROR _____ (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY _____ (Signature of Contracting Officer)		16C. DATE SIGNED 24-Aug-2005	

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

SECTION SF 30 - BLOCK 14 CONTINUATION PAGE

The following have been added by full text:

AMENDMENT 0005

W912DS-05-B-0014

Amendment No. 5

Bid opening date, rescheduled for 9 September 2005 at 2:00 P.M., local time from 26 August 2005 at 2:00 P.M., local time.

TO BIDDERS

NO FURTHER QUESTIONS FOR THIS SOLICITATION SHALL BE ACCEPTED BY THE GOVERNMENT AFTER 1:00 pm. AUGUST 26, 2005, OFFERERS MUST BID THE PROJECT AS THEY SEE IT, UNLESS MAJOR TECHNICAL DEFICIENCIES ARE FOUND.

SPECIFICATION REVISION:

The following changes shall be made to the water quality certification.

Special Conditions for DEC Permit No. 2-6499-00001/00002

Special Condition 10, on page 5 of Permit 2-6499-00001/00002 (as described in amendment 0002) has been revised from

Pipelines must be cut and removed at the top of slope line unless leaving them in place would create a hazard to navigation.

to

Pipelines must be cut and removed no further landward than the top of slope, unless doing so would create a hazard to navigation.

SECTION 00010 - SOLICITATION CONTRACT FORM

The required response date/time has changed from 26-Aug-2005 02:00 PM to 09-Sep-2005 02:00 PM.

(End of Summary of Changes)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
SPECIAL CONDITIONS for DEC Permit No. 2-6499-00001/00002

- ii. The Permittee shall use marker buoys every 200 feet or less (except within the existing federal channel) to indicate the 1,000 foot restricted area.

Special Condition # 6:

To protect winter flounder, dredging and blasting is limited as follows in the 'areas of concern' depicted in green on the attached Appendix 1 map. The areas selected were agreed to by all the involved regulatory agencies and in no way suggest that the New York State Department of Environmental Conservation has regulatory control over activities occurring outside its borders.

- a. Dredging of silt is prohibited in the areas of concern between 01 February and 31 May.
- b. Dredging and blasting of non-silt material is prohibited in the areas of concern between 01 March and 31 May.

Locating Pipelines

Special Condition # 7:

Complete removal of overburden is not authorized; this modification is meant for investigative purposes only.

Special Condition # 8:

Pipeline removal is not authorized by this permit modification. Pipeline removal will require separate authorization from the Department.

Special Condition # 9:

Use of heavy machinery in tidal wetlands is prohibited.

Pipeline Removal

Special Condition # 10:

Pipelines must be cut and removed no further landward than the top of slope, unless doing so would create a hazard to navigation.

Special Condition # 11:

Sidecasting of overlying sediments is not permitted in removal areas that are landward of the top of slope.

Special Condition # 12:

All material that is sidecast for the purposes of pipeline removal must be removed within sixty (60) days of sidecasting, or by 31 December 2005, whichever comes first.

Special Condition # 13:

All sidecast materials must be managed so as to maintain the integrity of the navigation channel and must not create a hazard to navigation.

DEC PERMIT NUMBER 2-6499-00001/00002	PROJECT NAME USACE Arthur Kill 40'/41' Deepening	PAGE <u>5</u> OF <u>8</u>
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